

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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EVA PUCKETT, Individually and on Behalf )  
of All Others Similarly Situated, )

Plaintiff, )

-against- )

INTERNATIONAL BUSINESS MACHINES )  
CORPORATION, )

Defendant. )  
----- X

No. 10 CIV 4920 (KMK) (PED)

**ECF CASE**

**STIPULATION OF DISMISSAL  
WITHOUT PREJUDICE**

IT IS HEREBY STIPULATED AND AGREED, pursuant to Federal Rule of Civil Procedure 41, that this action is hereby dismissed without attorneys' fees or costs and without prejudice to the right of Named Plaintiff Eva Puckett and Opt-In Plaintiffs Harry C. Flair, Angela M. Green, Yolanda Brown, and Marla Armour to participate in the action entitled *Charles Seward v. International Business Machines Corporation*, No. 10 CIV 4920 (KMK) (PED).

Dated: October 26, 2010

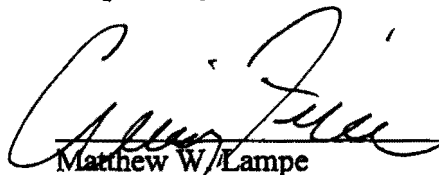
Respectfully submitted,



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Respectfully submitted,



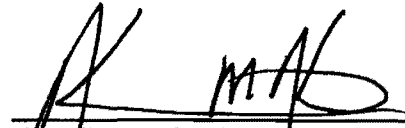
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IT IS SO ORDERED.

DATED: 10/27/10

  
Hon. Kenneth M. Karas  
United States District Judge